

REVENUE REPORT REFERENCES

These instructions reference the line items on the Report on Court Revenue Worksheet and the on-line reporting application. Code cites have been given as well as a description of what revenue sources are included.

SPECIAL NOTE: THE PROBATION USER FEES, ADULT AND JUVENILE, MUST BE SHOWN ON THE REVENUE REPORT REGARDLESS OF WHO COLLECTS THEM.

1. **COURT COSTS:** Filing fees or court costs assessed pursuant to Indiana Code 33-37-4-1(a)—criminal costs fee, 2(a)—infraction or ordinance violation costs fee, 3(a)—juvenile costs fee, 4(a)—civil costs fee, 6(a)—small claims costs fee and 7(a)—probate costs fee; deferred prosecution fee collected per Indiana Code 33-37-5-17 (**do not confuse this with the Prosecutor’s Deferral Program Fee collected under 33-37-4-2(e)**). Disburse on report as follows:
 - a. State Level Funds: 70%
 - b. County Level Funds: 27%
 - c. Local Funds (qualified municipality): 3%
2. **FINES / FORFEITURES:** Fines are collected only in criminal cases. If your court(s) collected any fines or forfeitures, the revenue is disbursed only to the State Level Funds.
3. **INFRACTION JUDGMENTS:** Cases involving infraction violations (primarily traffic matters) result in “infraction judgments.” **This revenue should be distinguished from fines because revenue from fines is deposited in the State Common School Fund, pursuant to Indiana Const. Art. 8 §2, as well as vehicle license fees (violations of vehicle weight-restrictions pursuant to Indiana Code 9-20-18-12).** The revenue is disbursed to the State Level Funds, pursuant to Indiana Code 34-28-5-5(c).
4. **CIVIL PENALTIES FOR INFRACTION OR ORDINANCE VIOLATIONS:** Fees collected by the violations clerk of a municipal corporation for violations of infractions or ordinances, pursuant to Indiana Code 33-37-4-2. The fees are distributed on the form to either the county or local (municipal corporation), depending on to which fiscal officer they are payable, pursuant to Indiana Code 33-36-3-7.
5. **VEHICLE LICENSE FEE:** Fee collected in the form of an infraction judgment where the vehicle was deemed overweight. The revenue is disbursed on the form to the State Level Funds to be earmarked for the State Highway Fund, pursuant to Indiana Code 9-20-18-12.
6. **SUPPORT FEE:** Pursuant to Indiana Code 33-37-5-6, the fee charged to defray administrative costs if child support or maintenance payments will be paid through the clerk of the court. This revenue is disbursed on the form to the County Level Funds.
7. **BOND ADMINISTRATION FEE:** Fee collected pursuant to Indiana Code 35-33-8-3.2, when defendants execute bail bonds. This revenue is disbursed on the form to County Level Funds.
8. **LATE SURRENDER FEE:** Pursuant to 27-10-2-12(c), if a defendant fails to appear, the bondsman is assessed a fee based on a percentage of the bond amount and the number of days the defendant is at large. Disburse this revenue on the form as follows:
 - a. County Level Funds (County Extradition Fund): 50%

- b. Local Level Funds (Police Pension Trust Fund): 50%
9. **USER FEES:**
- a. Include in **STATE LEVEL FUNDS:** Pursuant to Indiana Code 33-37-9-2, the following revenues are disbursed to State Level Funds:
- i. 25% of the Drug Abuse, Prosecution, Interdiction and Correction Fees (Indiana Code 33-19-6-9; 33-37-7-2(b)(1))
 - ii. 25% of the Alcohol and Drug Countermeasures Fees (Indiana Code 33-19-6-10, 33-37-7-2(b)(2))
 - iii. 50% of Child Abuse Prevention Fee—defined and applied under Indiana Code 33-37-5-12, collected under Indiana Code 33-37-4-1(b)(7) and deposited per Indiana Code 33-37-7-2(b)(3).
 - iv. 100% of Domestic Violence Prevention and Treatment Fee—defined and applied under Indiana Code 33-37-5-13, collected under 33-37-4-1(b)(8) and deposited under Indiana Code 33-37-7-2(b)(4).
 - v. 100% of Highway Work Zone Fee—applied under 33-37-5-14 for offenses defined under Indiana Code 9-30-3-5, collected under 33-37-4-1(b)(9) and Indiana Code 33-37-4-2(b)(5) and deposited under Indiana Code 33-37-7-2(b)(5).
 - vi. 100% of Safe School Fee—defined and applied under Indiana Code 33-37-5-18, collected under 33-19-6-163.3 and deposited under 33-37-7-2(b)(6).
 - vii. 100% of Sexual Assault Victim’s Assistance Fee—fees set under Indiana Code 4-23-25-11, defined and collected under Indiana Code 33-37-5-23 and deposited under Indiana Code 33-37-7-2(b) and 4-23-25-11.
- b. Include in **COUNTY LEVEL FUNDS:** Pursuant to Indiana Code 33-37-8-5, the following revenues are disbursed to County Level Funds:
- i. Marijuana Eradication Program Fee—defined and set under Indiana Code 33-37-5-7.
 - ii. Alcohol and Drug Services Program Fee—defined and set under Indiana Code 33-37-5-8(b) and 12-23-14-16.
 - iii. Law Enforcement Continuing Education Program Fee—defined and set under Indiana Code 33-37-5-8(c).
 - iv. Informal Adjustment Fee—defined and set under Indiana Code 31-34-8-8.
 - v. Late Payment Fee—defined and set by Indiana Code 33-37-5-22, deposited per Indiana Code 33-37-4-1(e)(2) and Indiana Code 33-37-7-2(e).
- c. Include in **LOCAL LEVEL FUNDS:** Pursuant to Indiana Code 33-37-8-3, the following revenues are disbursed to Local Level Funds:
- i. Alcohol and Drug Services Fee charged in cases in the City and Town Courts, pursuant to Indiana Code 33-37-5-8(b) and 12-23-14-16 when the defendant is found guilty of violating a city or town ordinance.
 - ii. Law Enforcement Continuing Education Program Fees charged in the City and Town Courts, pursuant to Indiana Code 33-37-5-8(c), when the defendant is found guilty of violating a city or town ordinance.
10. **PROSECUTORIAL PRETRIAL DIVERSION FEE:** Even though this fee represents a User Fee, deposited in the County Level Funds, it is listed separately for purposes of

this report. The program is defined with parameters under Indiana Code 33-39-1-8(c) and (d) and the fees are collected and deposited pursuant to Indiana Code 33-37-4-1(c). This fee is also referred to as the *Deferred Prosecution Fee*.

11. **PROSECUTORIAL DEFERRAL PROGRAM FEE:** Even though this fee represents a User Fee, deposited in either the County Level Funds or the Local Level Funds, it is listed separately for the purposes of this report. The program is defined with parameters under Indiana Code 33-37-4-2(e) and limited to infraction or ordinance violations only.
12. **COUNTY DRUG FREE COMMUNITY FUND:** Pursuant to Indiana Code 33-37-7-2(c), the following portions of fees collected are deposited into the County Level Funds:
 - a. 75% of the Drug Abuse, Prosecution, Interdiction and Correction fee collected under Indiana Code 33-37-4-1(b)(5).
 - b. 75% of the Alcohol and Drug Countermeasures Fees collected under Indiana Code 33-37-4-1,2 and 3.
13. **ADULT PROBATION USER'S FEES:** Pursuant to Indiana Code 35-38-2-1(d), the fees collected for adults placed on probation (for either felony convictions or misdemeanor convictions) are deposited in the County Level Funds for use in providing probation services. Included in this category are any fees collected as Alcohol Abuse Deterrent Program and Medical Fees program pursuant to Indiana Code 9-30-9 *et seq.* and any administration fees collected pursuant to Indiana Code 35-38-2-1.
14. **JUVENILE PROBATION USER'S FEE:** Include all \$100 administrative fees collected pursuant to Indiana Code 31-40-2-1.
15. **SUBTOTALS FOR FIRST PAGE:** Add lines 1 through 14 for each fund level. These subtotals are carried over to Line 16 at the top of the following page.
16. **TOTALS FROM PREVIOUS PAGE:** Copy the subtotals from Line 15 located at the bottom of the previous page.
17. **GUARDIAN AD LITEM OR SPECIAL ADVOCATE FEE:** Pursuant to Indiana Code 31-40-3-1, 2 & 3, a court may order a parent or estate of a child for whom a guardian ad litem or special advocate has been appointed, pay up to \$100 for the services. Any fees collected are deposited in the County Level Funds.
18. **SUPPLEMENTAL PUBLIC DEFENDER FEE:** Pursuant to Indiana Code 35-33-7-6, if a defendant using a public defender is able to defray some of the costs for the public defender, a court may charge fees for the services. The fees collected are deposited in the County Level Funds, pursuant to Indiana Code 33-40-3-1.
19. **PRETRIAL SERVICES FEE:** Pursuant to Indiana Code 35-33-8-3.2 and 3.3, the Court may charge a pretrial services fee if a defendant is released on bail or placed under supervision by a pretrial services agency or other appropriate public official. If the fee is charged, the clerk collecting the fee may keep up to 3% to defray the administrative costs related to collection and then the remainder of the fee collected is divided evenly between the Supplemental Public Defender Fund and the Supplemental Adult Probation Services Fund, all of which fall under County Level Funds.
20. **DOCUMENT FEES:** Pursuant to code, the Clerk for creating or certifying documents for the public may charge the following fees (in both Courts of Record and Local Courts). The fees, when collected are deposited in the Clerks' Record Perpetuation Fund, established by Indiana Code 33-37-5-2, under the County Level Funds or Local Level Funds depending on the court collecting the fees. The fees include: Indiana Code 33-37-5-1(Transcript or copy of record), 5-2(revenue from faxing, depositing a will, and certain

late payment fees pursuant to 33-37-5-22), 5-3 (certification of court record or transcript) and 5-4 (transcript of judgment related to lien on real estate). **For purposes of this report, please separate out the Document Storage Fee collected pursuant to Indiana Code 33-37-5-20 and list on next line.**

21. **DOCUMENT STORAGE FEE:** Pursuant to Indiana Code 33-37-5-20, this \$2 fee is collected in each action and deposited in the Clerk's Record Perpetuation Fund, under the County Level Funds or Local Level Funds depending on the court collecting the fee.
22. **AUTOMATED RECORD KEEPING FEE:** Pursuant to Indiana Code 33-37-5-21, fees are collected in all civil, criminal, infraction and ordinance violation actions. Pursuant to Indiana Code 33-37-7-2(b)(7), the fees are deposited in the State Level Funds for funding JTAC.
23. **JURY FEE:** Pursuant to Indiana Code 33-37-5-19, the Clerk shall collect the fee in every action where the defendant has been convicted of a crime, a statutory infraction or municipal corporation's ordinance. The fees are deposited in the County Level Funds pursuant to Indiana Code 33-37-8-5.
24. **INTEREST ON INVESTMENTS:** Any investment income the Court collects on funds in its accounts are deposited into the relevant County Level or Local Level funds pursuant to Indiana Code 5-13-9-6.
25. **JUDICIAL INSURANCE ADJUSTMENT FEE:** Pursuant to Indiana Code 33-37-5-25, this fee is collected in all actions where a person is convicted of an offense, required to pay a pretrial diversion fee or found to have violated an infraction or ordinance. The fees are deposited in the State Level Funds.
26. **COURT ADMINISTRATION FEE:** As of July 1, 2005, this \$2 fee is collected in each action filed in all state courts, including city and town courts and small claims courts, only where the person is convicted of an offense, required to pay a pretrial diversion fee, found to have committed an infraction or found to have violated an ordinance. Pursuant to 33-37-5-27, the fees are deposited into the State Level General Fund.
27. **DNA SAMPLE PROCESSING:** As of July 1, 2005, this \$1 fee is to be collected in each action in which a person has been convicted of an offense, required to pay a pretrial diversion fee, found to have committed an infraction or violated an ordinance. Pursuant to Indiana Code 33-37-5-26.2, the fees are deposited into the State Level General Fund.
28. **JUDICIAL SALARIES FEE:** As of July 1, 2005, this incrementally structured fee is collected in each action in all court cases except criminal proceedings (until there is a conviction), infraction or ordinance proceedings (until there is a finding of a violation) or small claims action. The fee is structured pursuant to Indiana Code 33-37-5-26(d) and is deposited into the State Level General Fund.
29. **PUBLIC DEFENSE ADMINISTRATION:** Pursuant to 33-37-5-21.2, as of July 1, 2005, the \$3 fee previously collected as **JUDICIAL ADMINISTRATION FEES** is now collected and deposited in the State Level General Fund as the title above.
30. **CIVIL ACTION SERVICE FEE:** As of July 1, 2005, if the clerk agrees, this \$10 fee is collected for each additional defendant named in a civil action after the first named defendant and provided to the County Sheriff for service costs. Pursuant to Indiana Code 33-37-5-28, 100% of the fees are deposited in the County Level General Fund or Local Level General Fund depending upon which court collected the fees.
31. **SMALL CLAIMS SERVICE FEE:** As of July 1, 2005, for each small claims action, a \$10 small claims service fee will be collected from the person filing the case for each

named defendant after the first, and collected from any party adding a defendant to the case. This is not applicable to small claims cases filed by or on behalf of the Attorney General. Pursuant to Indiana Code 33-37-4-6, 100% of the fees are deposited into either the County Level General Fund or Local Level General Fund, depending on which type of court collected the fee.

32. **ADDITIONAL GARNISHEE DEFENDANTS SERVICE FEE:** Pursuant to Indiana Code 33-37-4-6 and 33-37-5-28, the clerk shall collect an additional \$10 service fee for garnishee defendants over three sought to be served. All fees are deposited in the County Level General Fund or Local Level General Fund depending upon which court collected the fees.
33. **ALTERNATIVE DISPUTE RESOLUTION:** **Applies only to counties with an established and approved ADR plan.** Pursuant to Indiana Code 33-23-6-1, this fee is collected from the party filing a petition for legal separation, paternity or dissolution of marriage under Title 31 (Family Law), and deposited into the County Level General Fund.
34. **OTHER:** This category should include fees generated by court operations that have not been reflected in one of the above categories, including grant collections. Included in this category should be funds for Sheriff's service if the Clerk's office collects the fees for the Sheriff. Also, pursuant to Indiana Code 11-13-4.5-4, fees collected under the Interstate Compact should be distributed 50% to the State Level Funds and 50% to the County Level Funds. If a court is reporting more than one item in the "Other" category, please attach an addendum describing the separate revenue collections, rather than combining the totals.
TRUST FUNDS AND MARRIAGE LICENSE FEES should NOT be listed on the Revenue Report.
35. **SUBTOTAL OF SECOND PAGE:** Add Lines 17 through 34 for each fund level. ***DO NOT INCLUDE*** Line 16 or the Subtotals from Page 1 will be counted twice.
36. **TOTAL: SUM OF FIRST AND SECOND PAGE:** Add the Subtotals from the First Page (Line 16) to the Subtotals from the Second Page (Line 35) for each fund level.

Password information and help for technical difficulties should be directed to the JTAC Helpdesk at 1-888-275-5822.

Please contact the Division of State Court Administration for questions about this worksheet and completing this report on-line.

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